

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 23-CR-129-JFH-2**

**DENICE BOLANOS-CELAYA,**

**Defendant.**

**OPINION AND ORDER**

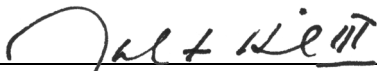
Before the Court is an amended motion to dismiss the superseding indictment [Dkt. No. 27] without prejudice as against Defendant Denice Bolanos-Celaya only, filed by the United States of America (“Government”). Dkt. No. 67.

Under Federal Rule of Criminal Procedure 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). Based on the motion and the record, the Court concludes that dismissal of the charge against Defendant Denice Bolanos-Celaya is not contrary to the public interest, nor is it for an improper purpose. Accordingly, the Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s amended motion to dismiss [Dkt. No. 67] is GRANTED and the superseding indictment [Dkt. No. 27] is dismissed without prejudice as against Defendant Denice Bolanos-Celaya only.

IT IS FURTHER ORDERED that the original motion to dismiss superseding indictment [Dkt. No. 65] is DENIED as moot.

Dated this 25th day of August 2023.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE